

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

EMPLOYERS MUTUAL CASUALTY COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 5:10-CV-00137-DCB-JMR

**CHARLIE RADDIN, AN INDIVIDUAL; JACOB
WOODARD, AN INDIVIDUAL; KYLE CORLEY, AN
INDIVIDUAL; BRIAN STEPHENSON, AN INDIVIDUAL;
RICHARD DARDEN, AN INDIVIDUAL; THE YAZOO
CITY MEDICAL CLINIC; AND JOHN DOES 1-20**

DEFENDANTS

**AGREED ORDER WITHDRAWING MOTION TO STRIKE
AND GRANTING LEAVE TO FILE SUR-REPLY**

THIS CAUSE having come before this Court on the Motion of Charlie Raddin, Jacob Woodard, Kyle Corley, Brian Stephenson and Jerold Hollowell (hereinafter “the underlying plaintiffs”), To Strike Employers Mutual Casualty Company’s Response to Yazoo City Medical Clinic’s Cross-Motion for Declaration of Coverage, or, in the Alternative, For Leave to File Sur-Reply to Employers Mutual Casualty Company’s Anticipated Reply to Certain Defendant’s Response in Opposition to Employers Mutual Casualty Company’s Motion for Summary Judgment. After discussion by the parties, Charlie Raddin, Jacob Woodard, Kyle Corley, Brian Stephenson and Jerold Hollowell have agreed to withdraw their Motion To Strike Employers Mutual Casualty Company’s (hereinafter “EMC”) Response to the Yazoo City Medical Clinic’s Cross-Motion for Declaration of Coverage. In exchange, Employers Mutual Casualty Company consents to the underlying plaintiffs’ request for leave to file a sur-reply in the event EMC files a Rebuttal to the response filed by the underlying plaintiffs on October 20, 2011.

IT IS, THEREFORE, ORDERED that the Underlying Plaintiffs Motion to Strike is hereby withdrawn, and the underlying plaintiffs shall be granted leave to file a sur-reply in the event EMC files a Rebuttal to the response filed by the underlying plaintiffs on October 20, 2011.

SO ORDERED this the 2nd day of February, 2012.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE

Prepared by:

/s/ John M. Lassiter
John M. Lassiter, Esq. (MS Bar #102235)
BURR & FORMAN, LLP
401 E. Capitol Street, Suite 100
Jackson, MS 39201
Telephone: (601) 355-3434
E-mail: jlassite@burr.com

Agreed to by:

/s/ James D. Boone
James D. Boone, Esq. (MS Bar #102377)
COPELAND, COOK, TAYLOR AND BUSH, PA
1076 Highland Colony Parkway
600 Concourse, Suite 100
Ridgeland, MS 39157
Telephone: (601) 856-7200
Email: jboone@cctb.com